**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CRIMINAL APPELLATE JURISDICTION**
**CRIMINAL WRIT PETITION NO.868 OF 2005**

Vidyadhar Vishwanath Shetye ...Petitioner
vs.
The State of Maharashtra ...Respondent

Mr.A.S.Gadkari,A.P.P. for State

**CORAM: A.S.OKA,J.**
**DATE : JUNE 7,2005.**

**P.C.:**

1. On 2nd May 2005 the Applicant who appears in person was absent when this matter was called out. Therefore, this matter was adjourned to 23rd June 2005. On 3rd May 2005 the Petitioner-in-person mentioned the matter and on his request the matter was taken board and notice was issued returnable on 7th June 2005. On that day ad-interim relief was granted in terms of prayer clause (d).

2. When this Petition was called out in the morning session, the Petitioner was not present. Therefore, it was kept back. In the Afternoon session also the Petitioner is absent. When the date of the matter fixed on 23rd June 2005 was preponed on the request made by the Petitioner, office was not expected to issue fresh notice to the Petitioner as the Petitioner was aware that the Petition is fixed today. In view of the order dated 3rd May 2005 the Petitioner should have remained present personally today. As the Petitioner is not present, Petition is dismissed for default.

**JUDGE**